

investments in our water systems, energy grids, and broadband deployment, where there is bipartisan agreement on the urgent need to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, simply stated, President Biden's so-called infrastructure plan helps China and hurts hard-working Americans. Let me say it again. This bill helps China and hurts hard-working Americans. Less than 5 percent—that is how much of this \$2 trillion infrastructure proposal actually goes toward building roads and bridges in the United States. Instead, this partisan proposal is loaded with Green New Deal pet projects and an abundance of spending that stretches far beyond recognition of what hard-working Americans define as infrastructure.

This is not the first time we have seen Democratic attempts to redefine the traditional meaning of words. In recent weeks, the White House has also moved to change how people perceive bipartisanship in Congress. No longer do our colleagues across the aisle need to secure Republican votes in order to successfully pass a so-called "bipartisan" bill. One obscure poll with cleverly worded questions that helps to garner bipartisan support from the respondents will do the trick. It is a manipulation of words that would allow President Biden to try to ram through this radical agenda and sell it to the American people as fulfilling his campaign promise of unity.

President Lincoln once said: "You can fool all the people some of the time and some of the people all the time, but you cannot fool all the people all the time."

The American people won't be duped by Washington doublespeak. I hosted five townhalls this past weekend, and Kansans have their eyes open to what is in this bill. Kansans understand that while this bill provides \$115 billion for roads and bridges, more than half of over \$2 trillion is devoted to green energy projects and the elimination of fossil fuels.

Among these green provisions is \$170 billion for electric car chargers and tax incentives for purchasing electric cars. It also calls for electrifying one-fifth of the Nation's school buses and all 650,000 of the U.S. Postal Service's delivery trucks, which will result in driving up costs to Americans.

When unveiling this infrastructure plan, President Biden mentioned China six times as he attempted to sell it as a way to compete with China. However, this rapid jump to electric vehicles does the opposite and will benefit China more than many hard-working Americans. That is because China leads the world in manufacturing 80 percent of the materials needed for batteries and will continue to do so. Of the 136 lithium-ion battery plants in the pipeline between now and 2029, 101 are based in China.

China mines 64 percent of the world's silicon and makes 80 percent of the world's polysilicon with coal-generated electricity—the key component to solar panels. This bill will serve as a boon for China while decimating our domestic oil and gas industry, which helped us achieve our long-held goal of energy independence in 2019.

This bill will harm our general economic output by taking \$2 trillion out of the private sector. We should really be calling this package the "grab your wallet bill" or "raise your taxes bill."

The legislation calls for the largest corporate tax increase in decades and will put the tax burden on American companies toward the top of the developed world list. This will make American companies less competitive in the global market. It is a recipe to kill the economy at a time when our Nation is still recovering from COVID. It will also negatively impact our economy in the long-term.

According to projections from the Penn Wharton Budget Model, as a result of this partisan legislation, overall GDP will be decreased 0.9 percent lower in 2031 and 0.8 percent lower in 2050. Hourly wages would be down by 0.7 percent in 2031 and 0.8 percent in 2050.

Perhaps what is most disappointing is that this bill demonstrates that gone are the days when infrastructure packages were an opportunity to build bipartisan bridges. Thanks to Republicans' control of the Senate and reaching across the aisle, the two most recent bills governing spending on roads and bridges both passed with overwhelming bipartisan support before they were signed into law.

So in case there is still an opportunity for bipartisanship, let me tell you what I am for. I am for a package that, No. 1, reaches across the aisle and rebuilds our aging roads and bridges; next, incentivizes innovation, invests in future generations, ensures high-speed internet for all Americans, and reforms our permitting process so that when we say "shovel-ready," we really mean shovel-ready, as opposed to going through years of permitting and driving up the cost of the project.

Look, pre-COVID, we had the strongest economy in my lifetime, thanks to Republican-led policies put in place over the last 4 years. Lower taxes and deregulation resulted in historically low unemployment rates, as well as energy independence and affordable energy costs. We need to get back to these policies and not continue the onslaught of harmful redtape, proposed tax increases, and unprecedented spending sprees.

The future of our children and grandchildren depends on it.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### NOMINATION OF VANITA GUPTA

Mr. DURBIN. Madam President, I would guess if the American people could give us a word of advice in the Senate, they would suggest that we do

our best to work together and to try to establish priorities and meet them, and that we try to bring to the new administration of President Joseph Biden the most competent and qualified people that we can to help our Nation through this pandemic and our economic recovery. It is in that spirit that I close the debate on Vanita Gupta to be the next Associate Attorney General of the United States.

Yesterday's verdict in Minnesota certainly caught the attention of many in America and across the world. The killing of George Floyd was resolved in a court of law. Sadly, he will not be with us, but his legacy lives on, and it depends on us to use that legacy to make America a better nation.

Can we really come together and put law enforcement at the table with community leaders and civil rights leaders and find common ground?

Can we keep our streets and communities and neighborhoods safe and do it without discrimination against any person or group in America?

These are big challenges—tough challenges. But to meet them, we need the right people in positions of leadership. Vanita Gupta is one of those people.

As a former civil rights advocate, she did extraordinary things—in Tulia, TX, and many other places—to show progress in the area of civil rights.

As a former acting Assistant Attorney General in charge of civil rights, she worked with law enforcement organizations to try to resolve the very problems that we have seen in Minnesota and Illinois and virtually in every other State. She is a dedicated professional with an extraordinary resume who wants to continue to serve this Nation.

Will she be able to work with law enforcement groups? Well, they think so because they support her. There is a long litany: National Sheriffs' Association, Major County Sheriffs of America, International Association of Chiefs of Police, Major Cities Chiefs, 53 former police chiefs or sheriffs, the Police Executive Research Forum, the Federal Law Enforcement Officers Association. The list goes on and on.

But the simplest statement that was made comes from a pretty hard-nosed group, the Fraternal Order of Police, and those who are in politics know you have to work to earn their support. Here is what they said about Vanita Gupta: "Gupta always worked with us to find common ground, even when that seemed impossible."

Isn't that exactly what we want at this moment in American history as we cope with the civil rights challenges of our age? This is our chance.

I hope the Senate, with its vote—I hope it is a bipartisan vote—will give Vanita Gupta the chance to serve America again.

I yield the floor.

#### VOTE ON GUPTA NOMINATION

The PRESIDING OFFICER. All postcloture time is expired.

The question is, Will the Senate advise and consent to the Gupta nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 160 Ex.]

#### YEAS—51

Baldwin	Hickenlooper	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Lujan	Sinema
Casey	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Warnock
Gillibrand	Murray	Warren
Hassan	Ossoff	Whitehouse
Heinrich	Padilla	Wyden

#### NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. BALDWIN). The majority leader.

Mr. SCHUMER. Madam President, first I just want to say, before I move on a motion to discharge, it is really so good to have Vanita Gupta now installed as Associate Attorney General. To have someone with such a background in civil rights at this time in American history is so important and so vital to the country.

I am so glad that the Senate has now approved her and she can do her vital job, including dealing with the systemic bias we have seen in policing and in law enforcement throughout the country. So it is very good news for the forces of equality and justice in the country.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, I ask that the motion to reconsider be made and laid upon the table with no intervening action or debate and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MOTION TO DISCHARGE

Mr. SCHUMER. Madam President, pursuant to S. Res. 27, the Committee on Armed Services being tied on the question of reporting, I move to discharge the Committee on Armed Services from further consideration of the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask unanimous consent that the time be equally divided during the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The senior Senator from Oklahoma.

#### NOMINATION OF COLIN HACKETT KAHL

Mr. INHOFE. Let my start by urging my colleagues in the Senate to vote against the motion to discharge from the Senate Armed Services Committee the nomination of Colin Kahl for Under Secretary of Defense for Policy. This is not a decision I take lightly. I have always felt that any new administration should have his team or her team, and I have generally been very supportive.

When President Biden nominated Dr. Kahl for this position, my expectation was that, if confirmed, he and I would often disagree on policy, but we would actually get along together; we could coexist together. I quickly learned that this would really be impossible with Dr. Kahl. I don't think I have ever said that about any nominee for any position that I can recall.

My Republican colleagues in the Senate Armed Services Committee—all 12 of them—reached the same conclusion. We opposed his nomination unanimously. That is very unusual.

Before I explain why not a single Republican was able to support Dr. Kahl's confirmation in committee, I want to emphasize how rare this is. The Senate Armed Services Committee, as everyone knows, is extremely bipartisan, certainly in the years that I was chairing that committee with Ranking Member JACK REED. We got along famously. We got things done that other people couldn't get done.

The Senate Armed Services Committee has always been bipartisan. We have disagreements, of course, but Republicans and Democrats on the committee have a legacy of consensus. National security and taking care of our

troops are bipartisan concerns. This is how we succeeded in passing the National Defense Authorization Act.

The National Defense Authorization Act is the largest bill every year. It is the one where it sets out the guidelines for the coming year, and it is the one where we always have gotten along. We passed it every year for 60 consecutive years. It shows and demonstrates very clearly how well we get along.

The Department deserves a nominee with bipartisan credibility. You have to keep in mind this position is the No. 3 position in the Pentagon. It represents our shared bipartisan vision of effective national security and healthy civil-military relations.

This position demands a nominee who can carry out the President's policies while engaging those who disagree in good faith. That isn't the case with this nominee. That is why we are faced with this vote today.

I also want to clear up a common misunderstanding. Republicans on the committee did not vote against Dr. Kahl simply because we disagreed with his policy views. Policy is what that position is. It is the policy position of the Pentagon. This should be obvious to anyone who paid attention to the confirmation of President Biden's nominees for Secretary of Defense and Deputy Secretary. We got through both of them quickly. I don't remember a time when any new administration got the two very significant positions of Secretary of Defense and Deputy Secretary of Defense so fast. We got them in record time. There are some things that we disagree with policywise, but we supported their confirmation, as did most of my Republican colleagues, for one reason: They were eminently qualified. I am talking about the Secretary of Defense and the Deputy Secretary. Both of them were eminently qualified, with long track records of bipartisan cooperation and strong professional judgment. I have dealt with both of them for many, many years.

In fact, we expedited the nomination to give the President his national security team just about as quickly as we could. Republicans may disagree with him, but we can work with them very well.

Unfortunately, the same cannot be said of Colin Kahl. The national security problems we face are wicked and complex. We wrestle with them constantly on this committee.

What I cannot support are nominees who reduce complex national security conversations to partisan sound bites. For instance, as many of my colleagues will recall, back in October of 2019, Republicans and Democrats disagreed about our policy in Syria. When President Trump announced a full U.S. troop withdrawal from northeastern Syria, some of our colleagues worried about extended deployments. This is a reasonable concern because here is how Dr. Kahl chose to characterize it: Republicans are "the party of ethnic cleansing," he wrote. He actually said that. He said that publicly.